

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

BROADCAST MUSIC, INC., et al.,

Plaintiffs,

- against -

QUEEN OF HEARTS CRUISES, INC. d/b/a
THE QUEEN OF HEARTS and STEVEN P.
SALSBERG and IRA M. BAROCAS, each
Individually

Defendants.

07-CV-11222 (SAS)

SCHEDULING ORDER

WHEREAS, the Court issued an Order for a Conference in accordance with Fed. R. Civ. P. 16(b) on (the "Order"); and

WHEREAS, Order requires that the parties jointly prepare and sign a proposed scheduling order containing certain information;

NOW, THEREFORE, the parties hereby submit the following information as required by the Order:

1. Date of Conference: March 24, 2008
Appearances: For the Plaintiffs John Coletta
For the Defendants Gino A. Zonghetti
2. A concise statement of the issues as they then appear;
This is a copyright infringement predicated upon the United States Copyright Act of 1976, as amended, 17 U.S.C. § 101 *et seq.* (the "Copyright Act"). The issues presented are whether defendants infringed upon plaintiff's copyrights by performing musical compositions without license or permission to do so and the extent of damages, if any.
3. A scheduling including:
 - (a) The names of persons to be deposed and a schedule of planned depositions:

(1) Plaintiff expects to depose Stephen P. Salsberg, Ira M. Barocas, Mandy Forlenza and/or other individuals identified through discovery as having evidence in support of its allegations against defendants and/or any of defendants' defenses to plaintiff's allegations.

(2) Any individuals identified by plaintiff as having evidence in support of its allegations against defendant.

(3) Depositions will be completed by September 15, 2008 *July 1*

(b) A schedule for the production of documents:

Initial disclosures to be furnished on or before April 11, 2008 and Responses to Requests for Production to be completed by August 15, 2008 *May 15*

(c) Dates by which (i) each expert's reports will be supplied to the adverse side and (ii) each expert's deposition will be completed;

Plaintiffs: Plaintiffs do not anticipate the need for expert witnesses at trial. If plaintiffs subsequently decide otherwise:
November 1, 2009/January 5, 2009

Defendants: Defendants do not anticipate the need for expert witnesses at trial. If defendants subsequently decide otherwise:
January 1, 2009/February 15, 2009

(d) Time when discovery is to be completed: October 15, 2008 *July 1*

(e) The date by which Plaintiffs will supply its pre-trial order matters to Defendants: February 26, 2009 *July 15*

(f) The date by which the parties will submit a pre-trial order in a form conforming with the Court's instructions together with trial briefs and either (1) proposed findings of fact and conclusions of law for a non-jury trial, or (2) proposed voir dire questions and proposed jury instructions, for a jury trial: March 16, 2009 *July 30*

(g) A space for the date for a final pre-trial conference pursuant to Fed. R. Civ. P. 16(d), to be filled in by the Court at the conference.

Date of Final Pretrial Conference: *July 11 at 9:30*

4. A statement of any limitations to be placed on discovery, including any protective or confidentiality orders:

The parties do not anticipate needing any limitations placed on discovery.

5. A statement of those discovery issues, if any, on which counsel, after a good faith effort, were unable to reach an agreement.

Not applicable.

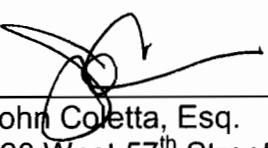
6. Anticipated fields of expert testimony, if any:

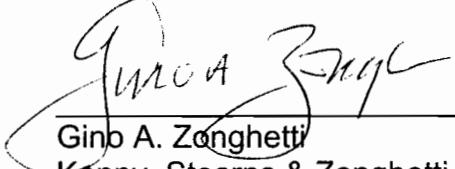
Not applicable; the parties do not anticipate the need for expert witnesses at trial.

7. Anticipated length of trial and whether to court or jury:

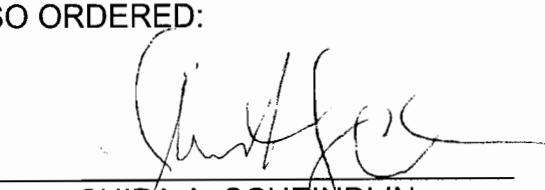
The parties anticipate trial lasting three to four days.

8. The Scheduling Order may be altered or amended only on a showing of good cause not foreseeable at the time of the conference or when justice so requires.


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Attorneys for Defendants

SO ORDERED:


SHIRA A. SCHEINDLIN
U.S.D.J

3/24/08